

REGULAR CITY COUNCIL MEETING
JANUARY 12, 1987

PRESENT

Ruth Hansen
Craig Greathouse
Don Dafoe
David Church
Neil Dutson
Gayle Bunker

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan
Dorothy Jeffery
Richard Waddingham
Neil Forster
Rob Hender

City Manager
City Recorder
City Attorney
Public Works Director
KNAK Radio Station

Mayor Hansen called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a regular City Council meeting held December 22, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Craig Greathouse MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a special City Council meeting held December 31, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Craig Greathouse MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Neil

Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Don Dafoe MOVED that the accounts payable be approved for payment in the amount of \$22,746.28, including Attorney Milton T. Harmon's bill in the amount of \$251.50. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

CITY ENGINEER JOHN QUICK: BUSH & GUDGELL PAYMENT REQUEST BILLING NO. 2-39175 & 2-32721F

This item was tabled because John Quick was not in attendance at this meeting.

WALLY CHURCH: CAR SHOW TO BE HELD IN CITY PARKING LOT

Mayor Hansen asked Wally Church to present a request to hold a car show in the City parking lot.

Mr. Church thanked the Mayor and City Council for their cooperation and support for the car show held in September of 1986. Mr. Church said that the show was very successful and beneficial to Delta City. He said that 52 people spent the night in Delta during the 1986 car show, and the average amount spent per person in Delta City was \$57.00.

Mr. Church then requested Council's approval for a Car Show to be held Saturday and Sunday, September 19, 20, 1987, on the old football field.

Following a brief discussion, Council Member Neil Dutson MOVED to approve a car show to be held September 19 & 20, 1987, on the old football field. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: PURCHASE OF AIR COMPRESSOR FOR DELTA CITY SHOP

Mayor Hansen asked Public Works Director Neil Forster to present a request for the purchase of an air compressor to be used in the Delta City Shop.

Mr. Forster said that the Public Works Department is in need of a new air compressor and has obtained a price quote of \$2,193. Mr. Forster said that this item was not budgeted for but that there was enough money budgeted under M & R Equipment to cover the cost of purchasing the air compressor. Mr. Forster then requested the Council's approval to purchase an air compressor to be used at the Delta City Shop.

City Manager Jim Allan said that capital equipment, such as an air compressor, could be purchased with Revenue Sharing money and said that there is Revenue Sharing money available in the budget for such a purchase. He said that if that money is used, a public hearing would be required to amend the Revenue Sharing budget.

Following a brief discussion, Council Member Don Dafoe MOVED to approve the purchase of an air compressor to be used in the Delta City Shop using Federal Revenue Sharing money. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: REPAIR OF MAIN WATER WELL
LOCATED AT 345 WEST 50 SOUTH

Mayor Hansen asked Public Works Director Neil Forster to discuss with the Council the repair of the main water well located at 345 West 50 South.

Mr. Forster said that the main well was drilled in the early 1970's and is capable of pumping 1300 gallons of water per minute, but at the present time the well is pumping 100 gallons of water per minute. Mr. Forster estimated that the cost of the well repair could be as high as \$6,000 and that \$6,000 has been budgeted for such repairs.

Following a brief discussion, Council Member David Church MOVED to approve the repair of the main water well. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

CITY ATTORNEY RICHARD WADDINGHAM: PROPOSED ORDINANCE REPEALING
SECTIONS 11-321B, 11-321C AND 11-321D AND RE-ENACTING SECTIONS
11-321B, 11-321C AND 11-321D OF THE REVISED ORDINANCES OF DELTA
CITY (1981 ed.) PROVIDING FOR FINES AND PUNISHMENTS OF PERSONS
DRIVING ON REVOCATION OR SUSPENSION, DRIVING WHILE INTOXICATED,
AND PERSONS CONVICTED OF RECKLESS DRIVING

Mayor Hansen asked Attorney Richard Waddingham to present a proposed ordinance repealing sections 11-321B, 11-321C and 11-321D and re-enacting sections 11-321B, 11-321C, and 11-321D of the Revised Ordinances of Delta City (1981 ed.). Mr. Waddingham presented a proposed ordinance entitled:

ORDINANCE NO. 87-108

AN ORDINANCE REPEALING SECTION 11-321.B. PROVIDING FOR THE FINES AND PUNISHMENTS OF PERSONS DRIVING ON REVOCATION OR SUSPENSION; SECTION 11-321.C. PROHIBITING DRIVING OR BEING IN ACTUAL PHYSICAL CONTROL OF A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS AND SECTION 11-321.D. DEFINING RECKLESS DRIVING AND PROVIDING FOR FINES AND PUNISHMENTS OF PERSONS CONVICTED FOR RECKLESS DRIVING UNDER THE REVISED ORDINANCES OF DELTA CITY (1981 edition), AS AMENDED, AND RE-ENACTING SECTIONS 11-321.B.(1) AND 11-321.B.(2) DEFINING RECKLESS DRIVING AND PROVIDING FOR AN INCREASE OF FINES AND PUNISHMENT OF PERSONS DRIVING ON REVOCATION OR SUSPENSION; SECTION 11-321.C. ENACTING PROVISIONS RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL, PROVIDING FOR AN INCREASE OF FINES AND PUNISHMENTS FOR PERSONS CONVICTED OF THIS OFFENSE, ESTABLISHING STANDARDS FOR REVOCATION OF LICENSES, ESTABLISHING PROCEDURES AND SETTING STANDARDS FOR MINIMUM BLOOD ALCOHOL CONTENT AND SECTION 11-321.D. DEFINING RECKLESS DRIVING AND PROVIDING FOR AN INCREASE IN THE AMOUNT OF FINES AND PUNISHMENTS FOR PERSONS CONVICTED OF RECKLESS DRIVING.

Following discussion of the ordinance, Council Member Don Dafoe MOVED to adopt Ordinance No. 87-108. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Craig Greathouse	Yes
Council Member Don Dafoe	Yes
Council Member David Church	Yes
Council Member Neil Dutson	Yes
Council Member Gayle Bunker	Yes

Mayor Hansen then signed the ordinance and it was attested by City Recorder Dorothy Jeffery.

ATTORNEY RICHARD WADDINGHAM: CABLE TELEVISION FRANCHISE RIGHTS TO DELTA

Mayor Hansen asked Attorney Richard Waddingham to discuss with the Council the proposed transfer of an existing television franchise from ACTON CATV, Inc. to Insight Communications Company, Inc.

Attorney Waddingham reviewed with the Council a cable ordinance adopted by the City of Delta entitled:

ORDINANCE NO. 81-21

AN ORDINANCE GRANTING A FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE A CABLE TELEVISION SYSTEM WITHIN THE CITY OF DELTA, UTAH; GRANTING LICENSE TO USE THE CITY STREETS AND PUBLIC UTILITY EASEMENTS FOR SAID CABLE TELEVISION SYSTEM AND SETTING FORTH TERMS AND CONDITIONS FOR GRANTING OF THE FRANCHISE AND LICENSE.

Mr. Waddingham explained that Acton is trying to transfer their rights in the cable television franchise to Insight Communications Company. Mr. Waddingham then reviewed in detail a proposed resolution submitted by Insight Communications Company which allows the transfer to take place.

Attorney Waddingham said that he felt the proposed resolution was not sufficient. After explaining some of the problems concerning the proposed resolution, Mr. Waddingham asked for Council's recommendations.

The Council instructed Mr. Waddingham to contact the various Utah cities involved with the transfer of ACTON CATV rights to Insight, and to obtain information as to what criteria those cities used in determining Insight's qualifications to operate and maintain a cable television system. Mr. Waddingham was also instructed to contact "Banker's Trust Co." to verify Insight's association with Banker's Trust and to ascertain Banker's Trust Company's opinion as to Insight's financial capabilities.

The Council further instructed Attorney Waddingham to prepare a resolution to be considered at the next regular City Council meeting.

CITY ACTIVITY REPORT

Mayor Hansen said that Attorney Richard Waddingham was officially sworn in as City Attorney Monday, January 5, 1987.


Mayor Hansen said that she, City Manager Jim Allan and City Engineer John Quick met with the Community Impact Board (CIB) and requested additional funding to complete the Open Drain Enclosure Project. She said that approximately \$50,000 was approved for that project.

Council Member Craig Greathouse said that H. W. Nielsen contacted him and would like to hook up to the City water and sewer system. The Council recommended that Public Works Director Neil Forster determine what would be required and contact Mr. Nielsen.

Mayor Hansen asked if there were any further comments or questions or items to be discussed. There being none, Council Member Neil Dutson MOVED to adjourn. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being

none, she called for a vote. The motion passed unanimously. Mayor Hansen declared the meeting adjourned at 8:30 p.m.


RUTH HANSEN, Mayor


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 1-26-87